

In the House of Representatives, U. S.,

December 21, 2018.

Resolved, That the bill from the Senate (S. 3661) entitled “An Act to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “75th Anniversary of*
3 *World War II Commemoration Act”.*

4 ***SEC. 2. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY***
5 ***OF WORLD WAR II.***

6 *(a) COMMEMORATIVE PROGRAM AUTHORIZED.—The*
7 *Secretary of Defense shall conduct a program to commemo-*
8 *rate the 75th anniversary of World War II. In conducting*
9 *the commemorative program, the Secretary shall support*
10 *and facilitate other programs and activities of the Federal*
11 *Government, State and local governments, and not-for-prof-*
12 *it organizations in commemoration of the 75th anniversary*
13 *of World War II. The Secretary shall conduct the commemo-*
14 *rative program in accordance with applicable Department*
15 *of Defense policy and using resources available to the Sec-*

1 *retary, including amounts in the Fund under subsection*
 2 *(d).*

3 *(b) COMMEMORATIVE ACTIVITIES AND OBJECTIVES.—*

4 *The commemorative program may include activities and*
 5 *ceremonies to achieve the following objectives:*

6 *(1) To thank and honor veterans of World War*
 7 *II, including personnel who were held as prisoners of*
 8 *war or listed as missing in action, for their service*
 9 *and sacrifice on behalf of the United States and to*
 10 *thank and honor the families of these veterans.*

11 *(2) To educate the public about the history of*
 12 *World War II and highlight the service of the Armed*
 13 *Forces during World War II and the contributions of*
 14 *Federal agencies and governmental and nongovern-*
 15 *mental organizations that served with, or in support*
 16 *of, the Armed Forces.*

17 *(3) To pay tribute to the contributions made on*
 18 *the home front by the people of the United States dur-*
 19 *ing World War II.*

20 *(4) To recognize the contributions and sacrifices*
 21 *made by the allies of the United States during World*
 22 *War II.*

23 *(5) To remember the Holocaust, the annihilation*
 24 *of 6,000,000 Jews by the Nazi regime, and to pay*

1 *tribute to the Allied troops who liberated Nazi con-*
 2 *centration camps during World War II.*

3 (c) *NAMES AND SYMBOLS.—The Secretary of Defense*
 4 *shall have the sole and exclusive right to use the name “The*
 5 *United States of America 75th Anniversary of World War*
 6 *II Commemoration”, and such seal, emblems, and badges*
 7 *incorporating such name as the Secretary may lawfully*
 8 *adopt. Nothing in this section may be construed to super-*
 9 *sede rights that are established or vested before the date of*
 10 *the enactment of this Act.*

11 (d) *COMMEMORATIVE FUND.—*

12 (1) *ESTABLISHMENT AND ADMINISTRATION.—*
 13 *Upon the Secretary establishing the commemorative*
 14 *program under subsection (a), the Secretary of the*
 15 *Treasury shall establish in the Treasury of the United*
 16 *States an account to be known as the “Department of*
 17 *Defense World War II Commemoration Fund” (in*
 18 *this section referred to as the “Fund”). The Fund*
 19 *shall be administered by the Secretary of Defense.*

20 (2) *USE OF FUND.—The Secretary of Defense*
 21 *shall use the assets of the Fund only for the purpose*
 22 *of conducting the commemorative program and pro-*
 23 *viding grants to State and local governments and*
 24 *not-for-profit organizations for commemorative activi-*
 25 *ties, and shall prescribe such regulations regarding*

1 *the use of the Fund as the Secretary considers to be*
2 *necessary.*

3 (3) *DEPOSITS.—The following shall be deposited*
4 *into the Fund:*

5 (A) *Amounts appropriated to the Fund.*

6 (B) *Proceeds derived from the Secretary's*
7 *use of the exclusive rights described in subsection*
8 *(c).*

9 (C) *Donations made in support of the com-*
10 *memorative program by private and corporate*
11 *donors.*

12 (D) *Funds transferred to the Fund by the*
13 *Secretary from funds appropriated for fiscal*
14 *year 2019 and subsequent years for the Depart-*
15 *ment of Defense.*

16 (4) *AVAILABILITY.—*

17 (A) *IN GENERAL.—Subject to subsection*
18 *(g)(2) and except as provided in subparagraph*
19 *(B), amounts deposited under paragraph (3)*
20 *shall constitute the assets of the Fund and re-*
21 *main available until expended.*

22 (B) *EXCEPTION.—Amounts transferred to*
23 *the Fund under paragraph (3)(D) from amounts*
24 *appropriated for fiscal year 2019 may be obli-*
25 *gated only during fiscal year 2019.*

1 (5) *BUDGET REQUEST.*—*The Secretary of De-*
 2 *fense may establish a separate budget line for the*
 3 *commemorative program. In the budget justification*
 4 *materials submitted by the Secretary in support of*
 5 *the budget of the President for any fiscal year for*
 6 *which the Secretary establishes the separate budget*
 7 *line, the Secretary shall—*

8 (A) *identify and explain any amounts ex-*
 9 *pende*d *for the commemorative program in the*
 10 *fiscal year preceding the budget request;*

11 (B) *identify and explain the amounts being*
 12 *requested to support the commemorative program*
 13 *for the fiscal year of the budget request; and*

14 (C) *present a summary of the fiscal status*
 15 *of the Fund.*

16 (e) *ACCEPTANCE OF VOLUNTARY SERVICES.*—

17 (1) *AUTHORITY TO ACCEPT SERVICES.*—*Notwith-*
 18 *standing section 1342 of title 31, United States Code,*
 19 *the Secretary of Defense may accept from any person*
 20 *voluntary services to be provided in furtherance of the*
 21 *commemorative program. The Secretary of Defense*
 22 *shall prohibit the solicitation of any voluntary serv-*
 23 *ices if the nature or circumstances of such solicitation*
 24 *would compromise the integrity or the appearance of*

1 *integrity of any program of the Department of De-*
 2 *fense or of any individual involved in the program.*

3 (2) *REIMBURSEMENT OF INCIDENTAL EX-*
 4 *PENSES.—The Secretary may provide for reimburse-*
 5 *ment of incidental expenses incurred by a person pro-*
 6 *viding voluntary services under this subsection. The*
 7 *Secretary shall determine which expenses are eligible*
 8 *for reimbursement under this paragraph.*

9 (f) *CONSULTATION WITH DIRECTOR OF THE UNITED*
 10 *STATES HOLOCAUST MEMORIAL MUSEUM.—In designing*
 11 *the commemorative program conducted under this section,*
 12 *the Secretary of Defense shall consult with the Director of*
 13 *the United States Holocaust Memorial Museum.*

14 (g) *FINAL REPORT.—*

15 (1) *REPORT REQUIRED.—Not later than 60 days*
 16 *after the end of the commemorative program estab-*
 17 *lished by the Secretary of Defense under subsection*
 18 *(a), the Secretary shall submit to Congress a report*
 19 *containing an accounting of—*

20 (A) *all of the funds deposited into and ex-*
 21 *pended from the Fund;*

22 (B) *any other funds expended under this*
 23 *section; and*

24 (C) *any unobligated funds remaining in the*
 25 *Fund.*

1 (2) *TREATMENT OF UNOBLIGATED FUNDS.*—Un-
 2 *obligated amounts remaining in the Fund as of the*
 3 *end of the commemorative period shall be held in the*
 4 *Fund until transferred by law.*

5 (h) *LIMITATION ON EXPENDITURES.*—*Total expendi-*
 6 *tures from the Fund, using amounts appropriated to the*
 7 *Department of Defense, may not exceed \$5,000,000 for fiscal*
 8 *year 2019 or for any subsequent fiscal year to carry out*
 9 *the commemorative program.*

10 (i) *SUNSET.*—

11 (1) *COMMEMORATIVE PROGRAM.*—*The commemo-*
 12 *rative program shall terminate on December 31, 2021.*

13 (2) *FUND.*—*The Fund shall terminate 60 days*
 14 *after the termination of the commemorative program.*

Attest:

Clerk.

115TH CONGRESS
2^D SESSION

S. 3661

AMENDMENT